IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No. 24708 of 2004

Between:

1 Shaik Khaja Rahemathulla, s/o Khaja Saheb,
r/o Khanapuram (Venkatrampuram) Village of Kodad Mandal.
2 Shaik Khaja Vali, s/o Hussain,
r/o Kodad Town and Mandal.
3 Veriparla Johone, s/o David,
r/o Shanthinagar, (Incharge of BG Thands) of Kodad Mandal.
4 Chetluri Nagoor Bee, w/o Khasheempeera,
r/o Ganapavaram Village of Kodad Mandal.
5 Shaik Babu, s/o Khaseem,
r/o Lakkavaram Village (Incharge of Ghole thanda)
6 Shaik Meerasaheb, s/o Malki Saheb,
r/o Kapugallu Village of Kodad Mandal.
7 Shaik Janimiya, s/o Meerasaheb,
r/o Komarabanda Village of Kodad Mandal
8 Mathangi Pushpa, w/o Prasad,
Thammara Village of Kodad Mandal
9 Boila Laxmaiah, s/o Asheervadam,
r/o Gondriyala (Incharge of Kottagudem thanda

of Kodad Mandal)
10 Manchala Padma, w/o Nagaiah,
r/o Gudibanda Village, Kodad Town and Mandal.
11 Patannagul Meer, s/o Janimiya,
r/o Kodad Town and Mandal.
12 A.Venkateshwarlu, s/o Ramachandraiah,
r/o Kodad Town and Mandal, Nalgonda District.
13 J.Seetha Ramulu, s/o Kotaiah,
r/o Kodad, Nalgonda District.
14 Sk.Nazaraiah, s/o Khasim Saheb,
r/o Kodad, Nalgonda District.
15 Sk.Meeravali, s/o Nazaraiah,
r/o Nollbandagudem, Nalgonda District.

..... PETITIONERS

AND

1 The District Collector (CS), Nalgonda, Nalgonda District.
2 The Revenue Divisional officer, Suryapet, Nalgonda District.
3 The Mandal Revenue Officer, Kodad Mandal, Nalgonda District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of mandamus, to declare the action of the 3rd respondent in canceling the licences of the petitioners by Proc.No.B/4370/2004, dt.04-12-2004 as illegal, arbitrary and against the principles of natural justice and also violation of Article 14 and 21 of the Constitution of India and consequently set aside the same.

Counsel for the Petitioners : MR.PALLE NAGESWAR RAO

Counsel for the Respondents : GP FOR CIVIL SUPPLIES

The Court made the following :

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ORDER :

The petitioners herein are Kerosene Hawkers. They were appointed and granted licence after 25-4-1994. Therefore, the Mandal Revenue Officer, licencing authority under the provisions of the Andhra Pradesh Petroleum Products (Licensing and Regulation of Supplies) Order, 1980 (hereafter called 'the Control Order') issued show-cause notices and cancelled the licence given to the petitioners by separate orders. These orders are assailed in the writ petition.

When the interlocutory matters were taken up for consideration, the learned Assistant Government Pleader for Civil Supplies opposed the writ petition itself contending that under Clause 31 of the Control Order, an appeal lies to the Revenue Divisional Officer and that the petitioners have already filed appeals. In that view of the matter, without expressing any opinion on the merits of the case, this writ petition is disposed of directing the Revenue Divisional Officer, Suryapet, Nalgonda District, to pass appropriate orders on the appeals filed by the petitioners within a period of three weeks from the date of receipt of a copy of this order. No costs.

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(V.V.S. RAO, J.)

16-06-2005.

Msr.

To

1 The District Collector (CS), Nalgonda, Nalgonda District.
2 The Revenue Divisional officer, Suryapet, Nalgonda District.
3 The Mandal Revenue Officer, Kodad Mandal, Nalgonda District.

4 2 CCs to Government Pleader for Civil Supplies,

High Court Buildings, Hyderabad.

5 2 CD copies.

HON'BLE SRI JUSTICE V.V.S. RAO

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16-06-2005

(Msr)